

AMENDED IN ASSEMBLY MAY 26, 2006

AMENDED IN ASSEMBLY APRIL 18, 2006

AMENDED IN ASSEMBLY MARCH 28, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2193

Introduced by Assembly Members Bass and Cohn

*(Principal coauthors: Assembly Members Bermudez, Shirley
Horton, and Maze)*

**(Coauthors: Assembly Members Hancock, Jerome Horton, and
Leno)**

February 22, 2006

An act to add Section 10609.9 to the Welfare and Institutions Code,
relating to child welfare.

LEGISLATIVE COUNSEL'S DIGEST

AB 2193, as amended, Bass. Child welfare services.

Existing law requires each county to provide child welfare services, and provides for the administration of various child welfare services pursuant to regulations and procedures adopted by the State Department of Social Services.

Existing law requires the department to contract with an appropriate and qualified entity to conduct an evaluation of the adequacy of current child welfare services budgeting methodology, and to convene an advisory group. Pursuant to existing law, the Director of Social Services has convened an advisory group, the Child Welfare Services Stakeholders Group, to address concerns facing the child welfare system.

Existing law declares the intent of the Legislature that the Human Resources Workgroup of the Child Welfare Services Stakeholders Group include in its next planned report the core strategies needed to establish minimum caseload standards under the redesigned child welfare services system. Existing law declares the further intent of the Legislature that the Human Resources Workgroup make recommendations for implementing the new caseload standards.

This bill would require the state to budget the child welfare services program in accordance with specified optimal caseload standards recommended by the Child Welfare Services Stakeholders Group. *The bill would declare the intent of the Legislature that the child welfare services program be funded in the annual Budget Act, in accordance with these standards.* This bill would require the new budgeting standards to be phased in over a 5-year period, commencing with the 2006–07 fiscal year, and to be fully implemented by the end of the 2010–11 fiscal year. It would require the department, commencing in January 2007, to annually update the recommended budgeting standards, as specified, *and to prepare and submit designated budget information to the Legislature on the release dates of the annual Governor’s Budget and May Revision.* The bill would require a county to provide funds sufficient to match the county’s base funding allocation for child welfare services in order to be eligible for the increased funding provided for by the bill. This bill would require the county to develop a plan for the use of the additional funds, and would require the county’s system improvement plan, developed pursuant to a specified provision of existing law, to be modified to include the plan required by the bill.

By placing new requirements on counties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The standards used to determine child welfare social
4 worker caseloads were developed in the mid-1980s and are now
5 over 20 years old. *The 1984 standards that are currently*
6 *referenced in State Department of Social Services budget*
7 *materials are no longer relevant, given the number of changes to*
8 *the program over the last 20 years.*

9 (b) The child welfare services workload study conducted by an
10 independent contractor pursuant to Section 10609.5 of the
11 Welfare and Institutions Code concluded that child welfare social
12 workers currently bear caseloads that are far in excess of what is
13 reasonable to meet the requirements of existing statutory and
14 case law.

15 (c) The findings and recommendations of the child welfare
16 services workload study were highly consistent with the
17 standards established by national child welfare organizations,
18 such as the Child Welfare League of America, and with
19 numerous standards that have been imposed on states by consent
20 decrees and court orders.

21 (d) Since the 2000 publication of the child welfare services
22 workload study, federal and state governments, and the courts,
23 have increased the workload on child welfare workers.

24 (e) California's child welfare system is now severely
25 understaffed as a result of these out-of-date caseload standards.

26 (f) The effects of excessive child welfare worker caseloads on
27 children and their families can be devastating and may include all
28 of the following:

29 (1) Inadequate response to reports of child abuse and neglect.

30 (2) Inability to ensure that out-of-home placements are
31 appropriate.

32 (3) Reduced monitoring of children in out-of-home
33 placements.

34 (4) Reduced service to families attempting to reunify with
35 their children.

36 (5) Poor outcomes for foster youth and their families with
37 children in foster care.

SEC. 2. Section 10609.9 is added to the Welfare and Institutions Code, to read:

10609.9. (a) Consistent with the schedule described in subdivision (b), the state shall budget the child welfare services program in accordance with the following optimal caseload standards recommended by the study required by Section 10609.5:

(1) Screening, hotline, and intake: one worker per 68.70 cases.

(2) Emergency response: one worker per 9.88 cases.

(3) Family maintenance: one worker per 10.15 cases.

(4) Family reunification: one worker per 11.94 cases.

(5) Permanency planning: one worker per 16.42 cases.

(b) (1) The budgeting standards described in subdivision (a) shall be phased in over a five-year period, commencing with the 2006–07 fiscal year, so that 20 percent of the difference between the 2005–06 fiscal year appropriation and the appropriation based on the optimal caseload standards would be funded, until that difference is eliminated in the 2010–11 fiscal year.

(2) *It is the intent of the Legislature to fund the child welfare services program, including staffing ratios, in the annual Budget Act, in accordance with the budgeting standards described in subdivision (a).*

(c) In order to be eligible for its share of the funds described in this section, a county shall do all of the following:

(1) Provide county matching funds sufficient to fully match the county's base funding allocation, not including any of the county's child welfare services augmentation funds.

(2) In consultation with individuals representing social workers, foster youth, families, and parents in the child welfare services system, develop a plan for the use of the additional funding in this section to provide social workers with additional time or support to enhance casework and the outcomes for children and families described in Section 10601.2. Plan elements may include, but are not limited to, reduced caseloads of social workers, additional clerical, paraprofessional, and support staff to allow social workers more time for casework and client contact, and additional services for youth and families to assist workers in helping children and families achieve case plan goals and improve outcomes.

1 (3) By January 1, 2007, modify the county's system
2 improvement plan developed pursuant to Section 10601.2 to
3 include the county plan required by paragraph (2) and the
4 specific outcomes that the county intends to improve through the
5 implementation of the plan.

6 (4) Annually, or more frequently at the county's option,
7 review its progress on the implementation of the plan required by
8 paragraph (2) and performance on the identified outcomes, and
9 consult with social workers, foster youth, and families in the
10 child welfare system on possible modifications to the plan
11 necessary to achieve improved outcomes.

12 (d) Commencing in January 2007, the department shall
13 annually update the recommended budgeting standards described
14 in subdivision (a) based on statutory, regulatory, and practice
15 changes that have occurred since the most recent update.

16 (e) In establishing compliance thresholds for outcome
17 measures developed pursuant to Section 10601.2, the department
18 shall take into consideration the extent to which the child welfare
19 system is funded to meet the budgeting standards required by this
20 section.

21 (f) *On the dates that the annual Governor's Budget and the*
22 *May Revision of the Governor's Budget are released, the*
23 *department shall prepare and submit to the appropriate*
24 *committees of the Legislature annual budget documents that*
25 *include the following information:*

26 (1) *The Governor's proposed staffing ratio, based on the*
27 *proposed child welfare services funding level.*

28 (2) *Any adjustment to the adopted standards, based on*
29 *relevant statutory or regulatory changes during the previous*
30 *year.*

31 (3) *If no adjustment is made for inflation, the amount of*
32 *savings associated with not providing that adjustment.*

33 SEC. 3. If the Commission on State Mandates determines that
34 this act contains costs mandated by the state, reimbursement to
35 local agencies and school districts for those costs shall be made
36 pursuant to Part 7 (commencing with Section 17500) of Division
37 4 of Title 2 of the Government Code.